

Town of Garner  
Town Council  
Work Session Minutes  
August 25, 2009

The Garner Town Council held a Work Session at 6:00 P.M. on Monday, August 25, 2009 in the Town Council Meeting Room.

**CALL MEETING TO ORDER**

Attending: Mayor Williams, Mayor Pro-Tem Kennedy, Council Members Behringer, Johns, Marshburn and Singleton

**STAFF MEMBERS PRESENT:** Hardin Watkins, Town Manager; Rodney Dickerson, Assistant Town Manager; Bill Anderson, Town Attorney; Lin Jones, Finance Director; Brad Bass, Planning Director; Tony Beasley, Economic Development Director

Mr. Dickerson, who was recently appointed by the Speaker of the House to the State Building Commission as the official local government representative, thanked the Council and Staff for their support. He also thanked Senators Jackson and Ross for their support.

Mayor Williams and the other Council members expressed they were very proud.

**City of Raleigh Utility Billing Division**

Presenter: Karen Hanny, Utility Billing Services Manager, City of Raleigh Utilities

Ms. Hanny presented the City of Raleigh's new billing system that will go live on November 30. The new system will affect Garner/Raleigh residential meter customers. Highlights of the new system and bill are: 1) tiered rates, 2) bi-monthly to monthly bills, and 3) on-line review. She presented a sample of the new bill.

Council Member Singleton noted the solid waste charge on the bill. Ms. Hanny said it will not be on the bill for Garner customers. She noted if a customer has an irrigation system at the same address, it would be included in the bill.

Mr. Hanny said the monthly billing system will have more accurate data and will help identify leaks quicker. In order to educate the customers, they plan to send two inserts in upcoming utility bills, noting on the envelope the important message inside. Ms. Hanny said they would meet with municipalities that take bills to make sure they are trained and prepared once Raleigh goes live.

Action: Presentation Only; No Action Required

**Discussion of Garner Volunteer Fire Department, Inc. Requests related to FY 09-10 Budget**

Presenter: Rodney Dickerson, Assistant Town Manager

Joe Sample, member of the Garner Volunteer Fire-Rescue Board of Directors announced that Jimmy Jones is a newly appointed Board member and will be sworn in on December.

Mr. Watkins said there have been questions about how the minutes from the budget meetings were being interpreted. There was disagreement on how we handle payments for fire related needs. A meeting was held yesterday with

Chief Mitchell and his staff, Council Member Singleton and Town staff. Mr. Watkins said he made a summary of the discussion outcome as follows:

**Discussion Guide**  
**GVFD, Inc. Topics**  
**August 25, 2009**

Items to include in updated agreement - 2009

- Town tied to all equipment and facilities.
- Town to mirror all useful County language used in their agreement with GVFD, Inc.

GFVD, Inc. / TOG Funding Arrangement Proposal for Consideration

- 5.5 cents for FY 09-10
- Lin Jones will estimate "overage" in early June 2010. ("Overage" is defined as that portion of revenue that exceeds the amount of revenue projected to be collected in the FY 09-10 Town Budget)
- Lin Jones will send a memo to the Town Council in early to mid June 2010 stating what he projects the FY 09-10 "overage" to be. Copy of said memo will be provided to GVFD, Inc. at this time.
- GVFD, Inc. will provide a letter to Town Council indicating (with details) how any overage will be used. Council agrees that this letter is for the purpose of being informed; not seeking approval for what "overage" is being used for. However, Town will ensure and insist that funds will not be applied or used for county-only facility or equipment items.
- Council will consider approval of a budget amendment memorializing the above actions at the second Council Meeting in June 2010.
- This policy will supersede all other minutes from the FY 09-10 Budget discussion process.

Other Topics Agreed Upon

For purposes of documentation, GVFD, Inc. will provide a copy of the specifications, invoice, and finance arrangements for the new fire services rescue truck that is being acquired.

The Ad Hoc Work Group to discuss the future of fire and rescue services in the Town of Garner will convene their first meeting during the month of September 2009. Assistant Town Manager Rodney Dickerson will be the convener/facilitator of said group. Town elected officials that have agreed to serve are Council members Gra Singleton and Mayor Pro Tem Buck Kennedy. The first meeting to be convened will be attended only by Town officials. Shortly after the first meeting, the group will convene a second meeting to include Wake County, GVFD, Inc., and Garner Rescue representatives.

We all need to be mindful of new challenges and budgetary demands of future Station #4.

**End of Memo**

Council Member Singleton said we all agree on the 5.5 and the Fire Department is looking to get the full amount.

Council Member Marshburn asked how we have handled this situation in the past. Mr. Jones said last year we paid what was budgeted as projected amount and the overage was placed in a reserve account.

Council Member Marshburn asked if this clarifies how reserved funds will be handled. Mr. Jones said the Fire Department could come back and request a budget amendment from what was carried in reserve from 08-09.

Mayor Williams suggested a policy be written from the discussion at the meeting.

Mr. Watkins said in considering use of the overage the Town needs to look at rural versus urban.

Mr. Sample said there are many needs, noting new safety features.

Mr. Watkins said the money could also be used to satisfy old debt.

Council Member Marshburn said based on what we have agreed to, the sum left from last year's budget will likely be handed over to the Fire Department forthwith! Mr. Jones said last year is first year not paid out.

Discussion followed regarding the Ad Hoc Committee. Mr. Sample said he understands the need for the Town officials to talk amongst themselves first; however, he felt the Garner Fire Department and the Town should iron some things out before involving other agencies.

Mr. Sample said the role in the Fire Department is to delineate how to chart a future for the fire department and he feels the Committee needs to determine how to work together over next five years.

Mr. Watkins said other issues are rolled in; it is hard to talk about fire and not rescue and vice versa. At some point all are rolled in together.

Mr. Sample said we need to look at rescue, as an issue the town will need to move forward. The first meeting will determine who the other players will be and the type of meetings will be apparent.

Mr. Marshburn said he feels we need to bring rescue in early on as courtesy; word has been circulating.

The second meeting will determine the agenda for the third meeting.

Ms. Moore announced October 3 is Fireman's Day. The Department will show off equipment. There will not be a truck raffle, but a \$10,000 cash give away. Raffle profits will go to the Burn Center and food for fire scenes.

Action: A Resolution setting forth these items will be placed on the September 8 Meeting; Previous minutes will be superceded by this meeting.

#### **White Deer Project Construction Update**

Presenter: Tony Beasley

Mr. Beasley presented the aerial photos and narratives of the construction progress and then gave the following update of future steps.

#### **Work Completed Last Two Weeks:**

##### **East Side**

- Landscaping complete and trees started in Bio-retention
- Siding complete on restroom building
- Solar System installed
- Approved drainage work completed
- Plumbing fixtures installed and accessories being installed

#### **Work Completed Last Two Weeks:**

##### **West Side**

- Park sidewalks complete
- Masonry Walls complete, pavers installed and tops on walls and benches
- Windows and doors installed
- Hardwood floors installed and finished
- Trim out started with casings

**Work Scheduled Next Two Weeks:**

**East Side**

- Clean asphalt and sidewalks
- Complete Mechanical trim out
- Complete interior and exterior finish work
- Complete toilet partition install
- Complete exterior tile at restroom
- Install water fountain in the yard
- Complete gutter tie-in to LS#3

**Work Scheduled Next Two Weeks:**

**West Side**

- Finish playground
- Complete asphalt
- Complete sidewalks at natural playground
- Complete all interior/exterior finishes
- Complete mechanical trim out
- Complete interior stone work
- Install yard water fountain
- Install remaining fence and park gates
- Clean asphalt and sidewalks

Mr. Beasley reported that since the contract was released, staff has approved a third change order batch which covers the remaining utility and storm water changes, extra surveying to achieve the saving of the Cope property trees and the relocation of the existing fence back to Town property, design change to closet in restroom building, town directed changes for relocation of and addition of computer and electrical devices and power for TV in learning center and town directed relocation of two exterior water fountains to match accessibility from site. These changes were the direct result of directives from City of Raleigh Public Utilities field inspections and subsurface discrepancies with the plans, town directed for workability or town directed to fix storm water issues not covered in the contract. Tony Chalk and Tony Beasley worked through all the requested changes and got some relief from City of Raleigh Public Utilities and the general contractor. We scrutinized and evaluated the price proposals from George Raper and Sons and concur that the changes are now fair and reasonable. The net result was an increase in the contract amount of \$18, 921.61. Not all of these funds will be from the contingency, we have credits and allowances to help off-set the full cost.

In summary, staff will bring forth a recommendation at the September 8th, 2009 meeting to ratify Change Order Batch #3. Staff projects that there will be one more change order batches primarily to handle paving, remaining storm drainage and building construction modifications.

When the project was proposed and approved by the council, it was anticipated that a greenway connection to Timber Drive would be completed along with the construction of the park. OBS Landscape Architects did a preliminary design prior to the project being awarded and a cost figure was added to the original budget. After the project was awarded, and park construction had begun, OBS began their design drawings for the greenway and subsequently submitted them to the Town of Garner for review and comments.

During this time our contractor for the project had completed a preliminary estimate for the greenway and green bridge. The cost was \$220,000 which was \$54,000 over the preliminary estimate given in August 2008. At that time it was the intent of staff to bid the greenway as a separate project in the hope of getting a better price. However, since the completed flood study and the results did indicate a rise but indicated no impact outside of property owned by the Town, the town has two choices in order to move forward on this

project. First would be to redesign the bridge to a freestanding design with no obstructions in the floodway, which would result in a no-rise condition or apply to FEMA for a Conditional Letter of Map Revision from the US Army Corps of Engineers. This process takes on average 6 months at best and carries a price tag of approximately \$20,000 (\$10,000 for application engineering fees and fees to FEMA). Staff did not feel comfortable proceeding forward in late June with this process without first examining all our other options. Staff has looked at alternate span bridges here in Wake County and others around the state. We have looked at different designs from around the state including suspension, truss and rail and believe that this alternative is the most viable. I have been quoted prices for just the bridge in the range of 70-80 thousand with install prices around \$125,000 - \$140,000 thousand. In comparison the bridge as currently designed was \$125,000 and can only be built after approval of a CLOMAR.

Therefore, staff believes that we should have the greenway bridge redesigned with the intent to span the floodway and create a no-rise either by truss or suspension as an alternative bid to our current plans and evaluate that cost difference if any in both money and time in lieu of waiting six months to hopefully obtain FEMA approval before beginning the bid process. We would propose doing this in a timely manner over the next 3-6 weeks then bring back to the council our recommendation as which way to proceed with soliciting bids for the project as an independent project of WDP but part of the same master plan as already approved.

Council Member Marshburn asked if the bridge item is a separate issue that will not affect the opening. Mr. Beasley pointed out the area on the aerials and said it will not affect the opening.

Mr. Beasley said he would like to pursue the bridge design outside the scope of OBS. He recommended taking the existing plans from them and send to other bridge designers. He said we can take an alternate bridge design and send it out for bids. Mr. Beasley will bring the design back to Council for review rather than seek approval from FEMA, which carries a 6 months delay.

Mayor ProTem agreed with the independent bridge design.

Action: Will bring alternate bridge design to the Council for approval consideration.

#### **Economic Downturn Update**

Presenter: Hardin Watkins

Mr. Watkins presented relevant observations concerning economic downturn. His memo states there seems to be a consensus that we have already seen the bottom and the rebound is beginning. The facts are attached as a part of these minutes.

Action: Information Update; no action required.

#### **Fire-Damage Double Wide at 4877 Auburn Church Road**

Presenter: Bill Anderson

The Inspections Department has the statutory power to investigate dangerous buildings in the ETJ as well as in the Town limit, for their repair or demolition.

Some months ago, Paul Ray investigated such a situation at 4877 Auburn Church Road. He found a badly burned and abandoned double wide. The owners of the property live in Knightdale. Mr. Ray conducted a standard unsafe building investigation, held a hearing and ordered that the building be demolished.

The homeowners agreed with the result, but have pleaded they cannot afford to remove it. Mr. Ray worked with them on the matter. Mr. Anderson assisted Mr. Ray by preparing an agreement that the owners would demolish the double wide in early 2009. They have not done so. Mr. Ray has obtained an estimate from a contractor to demolish and remove the structure for \$3,600. The homeowners have offered to reimburse the Town for demolishing the structure and have offered to pay monthly installments for a period of several years. The Town can also file a notice of lien to secure its rights to collect the money for removing the structure. To enforce that lien would require a civil action much like an assessment foreclosure lawsuit. The matter is brought to the Council's attention to see if they feel it is appropriate for the Town to proceed in that fashion. If so, the proposed agreement with the homeowners and the contract with the demolition can be placed on a future agenda.

Council Marshburn said he can favor installments. He asked if there is clamoring in the neighborhood to remove the structure. Mr. Anderson said he feels there is because Mr. Ray received the complaint.

Council Member Singleton suggested financing three years at 8% interest.

Action: Submit Agreement for the Council's consideration. The Agreement should include financing for three years at 8% interest.

Council Reports

Mayor Williams

- He asked Mr. Bass about Senate Bill regarding permit time extensions. It appears to suspend the permit clock from 2008 to December 2010 for active permits with no construction. Mr. Bass said he feels this is positive and the Town has already done something on their own. He will report to the manager projects that are affected for discussion at the September Work Session.
- He announced having tickets available for West Side Story to be held at the Memorial Auditorium from October 17 through October 25.

Council Member Behringer

- She commended Public Works on their diligence in cutting grass on Garner Road.

Council Member Marshburn

- He commended on the ConAgra event for the wonderful event on 8/22. There will be a plaque installed and trees to be planted representing those that lost their lives in the explosion. This is good publicity for the Town.

**Closed Session pursuant to N.C.G.S. 143-318-11(a)(4) regarding Economic Development**

Motion: Singleton  
Second: Johns  
Vote: Unanimous

The Council returned to regular session and adjourned at 11:30  
Respectfully Submitted,

Judy Bass, Town Clerk

**Town of Garner**  
**Relevant Observations Concerning Economic Downturn**  
**August 25, 2009**  
**Prepared by Hardin Watkins, Town Manager**

As you are aware, Finance Director Lin Jones and I meet weekly to discuss and evaluate the impacts on the national economic downturn on the Town of Garner. The information that follows is a summary of our most recent conversations and data-gathering.

**Synopsis**

It seems that most of the economists and financial outlook experts seem to be singing from the same page of the songbook currently about the nation's financial outlook. There seems to be a consensus that we've already seen the bottom and the rebound is beginning. They are all indicating that it will be a slow and fragile recovery.

**Wachovia/Wells Fargo Securities, LLC Economics Group Outlook – Aug. 12, 2009**

- Recession ended mid-year
- Recovery has taken hold
- Real GDP is expected to rise 3% or more fro second half of this year
- Sluggish beginning of recovery will see Federal Reserve keep short-term interest rates on hold through mid-2010
- Upbeat about economy's near term prospects, but keeping optimism in check since all is still not well with the economy
- Household finances still facing considerable stress – rising unemployment & slumping income growth
- Household wealth has not reached pre-downturn levels; this leads to consumers saving more

**Federal Reserve Chairman Ben Bernanke Viewpoints**

This is a summary of thoughts and comments from Bernanke from Dow Jones Newswires found on [www.news.morningstar.com](http://www.news.morningstar.com) on August 21, 2009:

- While the global economy is on more stable ground, he's not expecting a rapid economic recovery.
- Prospects for a return to growth in the near-term "appear good."
- The economic recovery "is likely to be relatively slow at first, with unemployment declining only gradually from high levels.
- "Critical challenges remain." Ongoing strains in global financial markets and the ability to obtain credit (businesses and households) are some examples.
- Earlier in August, the Fed reiterated plans to keep rates at their record low range near zero for an extended time period.
- Stock prices have "partially recovered" and U.S. mortgage rates have declined significantly since last fall.
- Policy actions in recent months have led to notable market improvements.

Town Revenue Impact

66% of state beer and wine revenues will be retained by the state this year. Cost to Town equals roughly \$70,000.

Solid waste fee rebates from Wake County will likely be received in Spring 2010. Due to uncertainty, staff had zeroed out this revenue category for FY 09-10. An estimate of \$90,000 has been provided.

Valuation for real and personal property tax has come in over what was budgeted for FY 09-10. This is good news. This is approximately \$35 million over what was expected. This will translate to approximately \$160,000 in revenues (prior to uncollectible amounts being calculated).